IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.3858 OF 2005

Birappa Siddhappa Sunte. ... Applicant.

Versus.

The State of Maharashtra. ... Respondent.

Shri S.M.Oak i/by Shri Ambar Joshi for the Applicant.

Ms.M.M.Deshmukh, A.P.P. for the Respondent.

CORAM : ABHAY S. OKA, J.

DATED : 15th July, 2005.

P.C.:

1. Heard the learned Advocate appearing for the Applicant and the learned A.P.P. for State. The office alleged against the Applicant is under section 302, 324, 147, 148, 149, 506 of the Indian Penal Code and section 135 of the Bombay Police Act. The learned Sessions Judge rejected the Application of the Applicant for bail. The second application filed by the Applicant also came to be rejected by observing that there is direct evidence available against the Applicant showing his involvement in the crime. The offence is of assault by a stick on the head of the first informant and assault by stick on the person of the deceased.

2. It is not in dispute between the parties that the case is committed to the Sessions Court and charge is framed. Recording of evidence will commence on 26th July 2005. In view of the material on record and in

view of the fact that the trial is slated to commence on 26th July 2005, no case is made out for enlarging the Applicant on bail. Considering the fact that the Applicant is aged about 60 years and that he is in custody for quite sometime, the trial deserves to be expedited. Hence the learned trial Judge taking up the trial is directed to conclude the same as expeditiously as possible and in any event on or before 31st March 2006.

3. The parties and the concerned Court to act on an authenticated copy of this order.

Judge.